



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,689	09/30/2003	Min Kuo	66329/00020	6171

23380	7590	02/26/2008
TUCKER ELLIS & WEST LLP		
1150 HUNTINGTON BUILDING		
925 EUCLID AVENUE		
CLEVELAND, OH 44115-1414		

EXAMINER	
MCLEAN, NEIL R	

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
02/26/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@tuckerellis.com
mary.erne@tuckerellis.com

Office Action Summary

Application No.

10/675,689

Applicant(s)

KUO ET AL.

Examiner

Neil R. McLean

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/29/2008.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 7-12, 14 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 7-12, 14, 16-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/29/2008 has been entered.

Response to Arguments

2. Applicant's arguments, see Applicants Arguments/Remarks Made in an Amendment, filed 1/29/2008, with respect to the rejection(s) of claim(s) 1-3, 5, 7-12, 14, and 16-18 under Owa et al. (US 6,348,971) in view of well known prior art have been fully considered and are persuasive.

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

However, upon further consideration, a new ground(s) of rejection is made under Owa et al. (US 6,348,971) in view of Idehara (US 2001/0052995).

Regarding Applicants Argument:

"Owa fails to teach a system wherein a user is allowed to specify certain parameters, such as an acceptable length of delay associated with a primary printer, which should be met before an alternative printer designation will be made. In an embodiment wherein a primary printer is conveniently located, while one or more alternative printers is located at an inconvenient distance away, a user may suitably choose to wait for a printout at the primarily desired location. No such user-directed print parameters are taught or contemplated by Owa."

Examiner's Response:

Owa et al. does not disclose expressly a means adapted for receiving delay criteria data corresponding to an associated delay period associated with commencement of the print job.

Idehara (US 2001/0052995) discloses a means adapted for receiving delay criteria data corresponding to an associated delay period associated with commencement of the print job (When the time it takes to finish work such as a copying job by a digital copying machine alone is too long due to a strict condition set by the user for the copying job, a supplementary output apparatus is selected as an apparatus to be used in conjunction with the digital copying machine and data to be printed is transferred to the supplementary output apparatus in order to meet the condition as described in [0216]. Referring to Figure 48; The screen displays the time it takes to finish the job by using only the A digital copying machine 41 and a query about whether or not image data is to be transferred to another output apparatus to the user as described in [0217]. Supplementary output apparatuses and their locations are each displayed as an icon on a layout diagram. In addition, while a substitute or supplementary output apparatus having a short distance from the apparatus in question is given a high priority in the selection of a substitute or supplementary output apparatus, a

high priority can also be given to a substitute or supplementary apparatus having a high processing speed, that is, high printing and/or sorting speeds. As an alternative, the user is allowed to determine which parameter is to be used as a base in giving a high priority to a substitute or supplementary output apparatus as described in [0224].)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5, 7-12, 14, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Owa et al. (US 6,348,971) in view of Idehara (US 2001/0052995).

Regarding Claim 1:

Owa et al. teaches a system for optimized routing of print jobs comprising:

means adapted for commencing a print job to a print port associated with a client machine (Column 4, lines 44-52; See Figure 1);

queuing means (Input Buffer 63 in Figure 8) adapted for queuing print job data in accordance with a commenced print job (Column 18, lines 6-10);

means adapted for receiving a print optimization instruction from an associated user (Column 18, lines 11-18; Printer information retentions means; Column 2, lines 1-10);

means adapted for selectively communicating the print job data to the print port so as to generate a printout therefrom (Column 4, lines 44-52; See Figure 1);

terminal means (See Status Monitor Section 13 in Figure 2) adapted for receiving status data (See Status Information in Figure 4) from each of a plurality of associated printer devices, which status data includes data representative of a commitment level of each associated printer device relative to prior print job requests associated therewith (Column 4, lines 6-13 and see Status Monitor Section 13 in Figure 2 and Flowchart Step S3 in Figure 6);

means adapted for receiving a print optimization instruction from the associated user in response to an issued prompt so as to commence selection of an alternative associated print device for printing (Column 18, lines 11-18; Printer information retentions means);

test means (the software or device that performs the functions described in Column 5, lines 41-60) adapted for testing the status data against selected test criteria (See Printer Selection Conditions in Figure 5) to determine whether at least one alternative associated printer device is desired for printing (Column 5, lines 41-44 and lines 51-57 and see Output Destination Printer Selection Section 11 in Figure 2 and Flowchart Steps S5 and S6 in Figure 6); and

the terminal means (See Data Transfer Section 17 in Figure 2) including means adapted for selectively redirecting the print job data from a primary designated associated printer device by assigning the print port to a device port of a secondary associated printer device of the plurality thereof in accordance

with the print optimization instruction and an output of the test means (Column 7, lines 3-6 and Flowchart Step S19 in Figure 6).

Owa et al. does not disclose expressly a means adapted for receiving delay criteria data corresponding to an associated delay period associated with commencement of the print job.

Idehara (US 2001/0052995) discloses a means adapted for receiving delay criteria data corresponding to an associated delay period associated with commencement of the print job (When the time it takes to finish work such as a copying job by a digital copying machine alone is too long due to a strict condition set by the user for the copying job, a supplementary output apparatus is selected as an apparatus to be used in conjunction with the digital copying machine and data to be printed is transferred to the supplementary output apparatus in order to meet the condition as described in [0216]. Referring to Figure 48; The screen displays the time it takes to finish the job by using only the A digital copying machine 41 and a query about whether or not image data is to be transferred to another output apparatus to the user as described in [0217]. Supplementary output apparatuses and their locations are each displayed as an icon on a layout diagram. In addition, while a substitute or supplementary output apparatus having a short distance from the apparatus in question is given a high priority in the selection of a substitute or supplementary output apparatus, a high priority can also be given to a substitute or supplementary apparatus having a high processing speed, that is, high printing and/or sorting speeds. As an alternative, the user is allowed to determine which parameter is to be used as a base in giving a high priority to a substitute or supplementary output apparatus as described in [0224].)

Idehara and Owa are combinable because they are from the same field of endeavor of image processing; e.g., both references disclose prioritizing network printers.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a means adapted for receiving delay criteria data corresponding to an associated delay period associated with commencement of the print job.

The suggestion/motivation for doing so would have been to allow an input-output apparatus to be selected with ease by displaying an actual layout of input-output apparatuses connected to a network system in a diagram showing places of business, floors or rooms where the apparatuses are installed. This would allow the user to identify an output apparatus installed at a location in closest proximity to a recipient of a text or another message transmitted to the recipient with ease.

Therefore, it would have been obvious to combine Idehara with Owa to obtain the invention as specified in claim 1.

Owa et al. discloses all of the above except for a queuing means adapted for queuing print job data.

However it is well known in the art for a computer to have a print queue for providing temporary storage of data that is to be processed at a later time.

(Official Notice)

At the time of the invention it would have been obvious to one of ordinary skill in the art to employ a print queue.

The suggestion/motivation for doing so would be to prevent the data from being lost by using a print queue; and it would also prevent the host from sending print data to the printer while the printer is not capable of receiving any print data.

Therefore, it would have been obvious to combine a print queue with the printing system of Owa et al. to obtain the invention of Claim 1.

Regarding Claim 2:

The system for optimized routing of print jobs of claim 1 wherein the test criteria includes data representative of a commitment level of the at least one alternate associated printer device (Column 6, lines 37-54 and Flowchart Steps S16 and S17 in Figure 6).

Regarding Claim 3:

The system for optimized routing of print jobs of claim 2 wherein the print job data is selectively redirected to the secondary associated printer device which has the lowest commitment level (Column 7, lines 3-6 and see Flowchart Steps S19/S21 in Figure 6).

Regarding Claim 4:

Cancelled

Regarding Claim 5:

The system for optimized routing of print jobs of claim 2 further comprising means adapted for storing user selection data which pre-authorizes

automatic routing of print job data to the secondary associated printer device
(Column 5, lines 9-14 and please refer to user settings in Figure 5).

Regarding Claim 6:

Cancelled

Regarding Claim 7:

The system for optimized routing of print jobs of claim 1 wherein the means adapted for selectively redirecting the print job data the further comprises means adapted for displaying all available associated printer devices for the user to select a secondary associated printer device in which to route the print job data (Column 12, lines 55-60).

Regarding Claim 8:

The system for optimized routing print jobs of claim 6 wherein the means adapted for redirecting the print job data further comprises:

means adapted to receive user input to terminate the routing of the print job data to the secondary associated printer device (Column 13, lines 1-4 and User Approved Screen 81 in Figure 12b); and

terminating means adapted to terminate routing of the print job data to the secondary associated printer device in response to user input (see Cancel button 84 in Figure 12b).

Regarding Claim 9:

The system for optimized routing of print jobs of claim 1 wherein the means adapted for prompting an associated user is a graphical user interface (See Figures 12a and 12b).

Regarding Claim 10:

A method for optimized routing of print jobs comprising the steps of:

Commencing a print job to a print port associated with a client machine (Column 4, lines 44-52);

Queuing print job data in accordance with a commenced print job (Column 4, lines 44-52);

Issuing a prompt to an associated user for a print optimization authority (Figure 4);

selectively communicating the print job data to the print port so as to generate a printout therefrom (Column 4, lines 44-52 and see Print Data Generation Section 18 in Figure 2);

receiving status data (See Status Information in Figure 4) from each of a plurality of associated printer devices, which status data includes data representative of a resource commitment level of each associated printer device relative to prior print job requests (Column 4, lines 6-13 and see Status Monitor Section 13 in Figure 2 and Flowchart Step S3 in Figure 6) associated therewith;

testing (the software or device that performs the function described in Column 5, lines 41-60) the status data against selected test criteria (See Printer Selection Conditions in Figure 5) to determine whether at least one alternative associated printer device is desired for printing (Column 5, lines 41-44 and lines 51-57 and see Output Destination Printer Selection Section 11 in Figure 2 and Flowchart Steps S5 and S6 in Figure 6); and

selectively redirecting the print job data from a primary designated associated printer device by assigning the print port to a device port of a secondary associated printer device of the plurality thereof in accordance with the print optimization instruction and an output of the test means (Column 7, lines 3-6 and Flowchart Step S19 in Figure 6).

Owa et al. does not disclose expressly a means adapted for receiving delay criteria data corresponding to an associated delay period associated with commencement of the print job.

Idehara (US 2001/0052995) discloses a means adapted for receiving delay criteria data corresponding to an associated delay period associated with commencement of the print job (When the time it takes to finish work such as a copying job by a digital copying machine alone is too long due to a strict condition set by the user for the copying job, a supplementary output apparatus is selected as an apparatus to be used in conjunction with the digital copying machine and data to be printed is transferred to the supplementary output apparatus in order to meet the condition as described in [0216]. Referring to Figure 48; The screen displays the time it takes to finish the job by using only the A digital copying machine 41 and a query about whether or not image data is to be transferred to another output apparatus to the user

as described in [0217]. Supplementary output apparatuses and their locations are each displayed as an icon on a layout diagram. In addition, while a substitute or supplementary output apparatus having a short distance from the apparatus in question is given a high priority in the selection of a substitute or supplementary output apparatus, a high priority can also be given to a substitute or supplementary apparatus having a high processing speed, that is, high printing and/or sorting speeds. As an alternative, the user is allowed to determine which parameter is to be used as a base in giving a high priority to a substitute or supplementary output apparatus as described in [0224].)

Idehara and Owa are combinable because they are from the same field of endeavor of image processing; e.g., both references disclose prioritizing network printers.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a means adapted for receiving delay criteria data corresponding to an associated delay period associated with commencement of the print job.

The suggestion/motivation for doing so would have been to allow an input-output apparatus to be selected with ease by displaying an actual layout of input-output apparatuses connected to a network system in a diagram showing places of business, floors or rooms where the apparatuses are installed. This would allow the user to identify an output apparatus installed at a location in closest proximity to a recipient of a text or another message transmitted to the recipient with ease.

Therefore, it would have been obvious to combine Idehara with Owa to obtain the invention as specified in claim 10.

Owa et al. discloses all of the above except for a queuing means adapted for queuing print job data.

However it is well known in the art for a computer to have a print queue for providing temporary storage of data that is to be processed at a later time.

(Official Notice)

At the time of the invention it would have been obvious to one of ordinary skill in the art to employ a print queue.

The suggestion/motivation for doing so would be to prevent the data from being lost by using a buffer; and it would also prevent the host from sending print data to the printer while the printer is not capable of receiving any print data.

Therefore, it would have been obvious to combine a print queue with the printing system of Owa et al. to obtain the invention of Claim 10.

Regarding Claim 11:

The method for optimized routing of print jobs of claim 10 wherein the test criteria includes data representative of a commitment level of the at least one alternate associated printer device (Column 6, lines 37-54 and Flowchart Steps S16 and S17 in Figure 6).

Regarding Claim 12:

The method for optimized routing of print jobs of claim 11 wherein the print job data is selectively redirected to the secondary associated printer device

which has the lowest commitment level (Column 7, lines 3-6 and see Flowchart Steps S19/S21 in Figure 6).

Regarding Claim 13:

Cancelled

Regarding Claim 14:

The method for optimized routing of print jobs of claim 11 further comprising the step of storing user selection data which pre-authorizes automatic routing of print job data to the secondary associated printer device (Column 5, lines 9-14 and please refer to user settings in Figure 5).

Regarding Claim 15:

Cancelled

Regarding Claim 16:

The method for optimized routing of print jobs of claim 11 wherein the step of selectively redirecting the print job data further comprises the step of displaying all available associated printer devices for the user to select a secondary associated printer device in which to route the print job data (Column 12, lines 55-60).

Regarding Claim 17:

The method for optimized routing print jobs of claim 15 wherein the step of selectively redirecting the print job data further comprises the steps of:

receiving user input to terminate the routing of the print job data to the secondary associated printer device (Column 13, lines 1-4 and User Approved Screen 81 in Figure 12b); and

terminate routing of the print job data to the secondary associated printer device in response to user input (see Cancel button 84 in Figure 12b).

Regarding Claim 18:

The method for optimized routing of print jobs of claim 15 wherein prompting an associated user is performed via a graphical user interface (See Figures 12a and 12b).

Regarding Claim 19 – 30: (Cancelled)

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kato (US 6,760,120) teaches a system that automatically selects

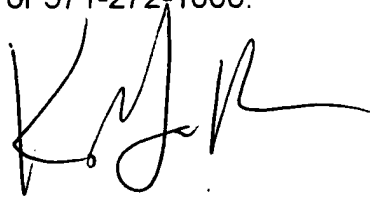
an optimum printing device according to the characteristics of a page in units of pages to print the page, thereby reducing the load on the operator in print processing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neil R. McLean whose telephone number is 571.270.1679. The examiner can normally be reached on Monday through Friday 7:30AM-5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on 571.272.7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

N. R. McLean
Neil R. McLean
02/17/2008


KING Y. POON
SUPERVISORY PATENT EXAMINER